

**NORTH SOMERSET COUNCIL DECISION  
DECISION OF: COUNCILLOR MARK CANNIFORD, EXECUTIVE MEMBER  
FOR BUSINESS, ECONOMY AND EMPLOYMENT**



**WITH ADVICE FROM: RICHARD PENSKA, FINANCE DIRECTOR  
DIRECTORATE: CORPORATE SERVICES DIRECTORATE**

**DECISION NO: CSD43 2019-20 SCHEME**

**SUBJECT: SELECTION OF A SITE FOR POSSIBLE EXPANSION OF BAYTREE  
SPECIAL SCHOOL**

**KEY DECISION: Y**

**1. BACKGROUND:**

- 1.1 The Council has a statutory duty to secure sufficient places for its school-aged residents. There is a projected increase in demand for special school places for pupils with Severe and Profound Learning Difficulties (S&PLD) due to demographic growth and an increase in the numbers of pupils with these learning characteristics. Since 2015 the numbers of North Somerset children with an Education, Health and Care Plan (EHCP) has risen from 534 to 948. Currently 78% (740) of children and young people are educated within North Somerset with the remaining 22% (208) educated outside the area or receiving alternative provision. The Council supports 'local schools for local children' and seeks to secure appropriate provision for pupils with ECHPs as close to their home as appropriate.
- 1.2 The 2017/18 Special Educational Needs and Disabilities and Alternative Provision (SEND and AP) Review acknowledged the growing number of children and young people with identified SEND and the Council's responsibility to provide appropriately to meet their diverse needs as locally as possible. The Education Provision in North Somerset ~ A Commissioning Strategy 2018 – 2019 <http://www.n-somerset.gov.uk/wp-content/uploads/2018/09/Education-Provision-in-North-Somerset-a-commissioning-strategy.pdf>, approved by the Executive in September 2018, supports the increase in provision for pupils requiring S&PLT education provided primarily by Baytree Special School.
- 1.3 As a result of the identified need for additional SEND school places and the potential to extend Baytree school (to an additional site), the Children's and Young Person's Policy and Scrutiny Panel were consulted on a proposal to seek Executive Member approval for the commencement of the statutory process to expand Baytree Special School from a 72-place provision to a 120-place school located across the existing and a new site with effect from 1 September 2021. The Panel confirmed its support for the recommendation to be submitted to the Executive Member for Children's Services and Lifelong Learning. The Executive Member subsequently agreed the proposal to commence the consultation (PC 19 refers <https://www.n-somerset.gov.uk/wp-content/uploads/2019/07/19-20-PC-19-Signed.pdf>).

In the light of a number of issues raised during the course of the discussion about which site should be selected for the expansion, the Panel requested a review of previously considered alternative sites be undertaken and reviewed by the Executive Member responsible for

securing a site for the new school. In making the decision to progress the consultation about the expansion of Baytree school, the Executive Member for Children's' Services and Lifelong Learning was informed of this request and that a further review of potential sites was being undertaken as a result.

- 1.4 The review of alternative sites has now been completed in consultation with colleagues from across the Council. A summary of the results is set out in this report with details of the sites 1 – 13 considered and their appraisal within Appendix 1. The appraisal details the extent to which each site can meet the requirements for the school extension based on:

**Size:** the site needs to be relatively flat and c2ha in size to allow for a single-storey school building with additional facilities. A two-storey building on a smaller site is unsuitable due to the expected access needs of the students as many will require walking aids or wheelchairs. All students benefit from indoor and outdoor learning spaces and access to the outdoor environment as independently as possible. The current Baytree school has two storeys (accessed via lift). Having pupils who are unable to independently move within and out of the building from a 2<sup>nd</sup> or subsequent storey creates significant operational and safety problems.

**Location:** the site should be centrally located within North Somerset and easily accessible from the motorway/A-road network. This is to minimise travel distances for home to school transport for pupils, ensure access by emergency services, and to enable staff and, where appropriate, pupils to travel between the two school sites during the school day when needed. To respond to an emergency, a travel time of a maximum of 15 - 20 minutes between the two hubs is required.

**Community:** as with a mainstream school, any new site must be integral to a community and not located away from it. The site must be close to shops, a district centre and sports facilities enabling the school and its students to form links with the community as part of their pathways to adulthood. The school wants to continue to be part of a local community when expanding to their 2nd site. Children and young people with disabilities are important members of our society.

**Local facilities:** the site should be within walking distance of shops and amenities to enable those pupils that are able walk or are escorted to access local shops and other community facilities as part of their educational entitlement. Whilst a new development may offer physical spaces that could be used in the longer term for a new school, the need to have a site with this access as soon as students are located to it is essential to their educational and curriculum requirements. Travel by mini-bus to and from a local community takes time away from other aspects of a pupil's Education, Health and Care curriculum entitlements.

**Ownership:** the purchase of a site not already in the ownership of North Somerset would be likely to add up to two years to the delivery period, to allow for negotiations, due diligence and exchange of contracts. Moreover, the budget for the new school building is locally funded and does not include any allowance for land purchase. Whilst the value of individual sites will depend on location, planning designation, site specific ground conditions etc, it would be reasonable to assume that land designated for employment use would have a land value of circa £500,000/ha - £750,000/ha whereas land designated for residential use would have a land value of circa £1.2m/ha to £2m/ha. Whilst some of the sites reviewed may have no current alternative designation other than their existing use for agriculture purposes, if the Council needed to acquire them for the school development it would almost certainly

have to pay an enhanced land cost. Potential 'hope values' could increase the worth of the land whilst compulsory purchase powers would add significant time delays and additional legal and process costs. For this reason, sites that either have a nil or minimal upfront outlay are preferable to those that may have a commercial housing or alternative hope value and therefore would be likely to be cost-prohibitive. The requirement to secure places by 2021 does not allow for extra time to generate more resources.

**Acceptable in planning terms:** it is recognised many of the available sites will have planning restrictions. The initial review of potential constraints does not pre-empt the statutory planning process, which will be required to weigh up the balance of a wide range of positive and negative factors. If sites are taken forward, it will be the responsibility of the delivery team to ensure that all planning issues are properly addressed and mitigated as required.

**Deliverable by 2021** – due to purdah, consultations and work to progress this project has been delayed. The funding for the new school will be met mainly from a basic need allocation from the DfE in the 2019/20 financial year. New places are needed from September 2021.

1.5 **Summary of findings** – the review has established none of the sites fully meet the requirements for the new school. In summary many of the sites (10) are not in the ownership of the Council and would need to be purchased. This could be expensive and/or add significant delay to the delivery of the school's expansion. The significant and urgent need to provide new school places by 2021 and the time it will take to deliver a new school building removes any contingency to allow for extra time to seek additional resources to purchase a school site. There is a real risk that resources might not be secured, especially as the Council's basic need allocation for 2021/21 from the Department for Education was £0. In addition, some sites (5) are less suitable due to their location whilst others (4) have been identified for residential use in the Local Plan and if used for the extension of the school would require alternative sites to be identified to replace the housing lost. This would also be expensive. Many of the sites (10) are located/part-located outside of the settlement boundary, with some in an area where there is a Neighbourhood plan which opposes development outside the boundary. Two sites are within greenbelt. The latter constraints would need to be addressed through the planning process.

Of the three council owned sites, one is being used for another purpose and another is proposed for an alternative use. In these two cases alternative provision would need to be made which would be time consuming and potentially expensive to deliver. The third site – Brookfield Walk - is located adjacent to but outside of the settlement boundary in the Green Belt and any application for Planning Permission would need to demonstrate that 'very special circumstances' apply for Permission to be granted.

Whilst no site fully meets the requirements for the location of the new school, site 13 (council owned land south-east to Brookfield Walk in Clevedon as shown in Appendix 2) has been identified as the most suitable available location for the school expansion, in particular in relation to being affordable and deliverable within the constraints of the funding available and timing needed for delivery.

The Executive Member's approval is sought to identify and release the site at Brookfield Walk as a potential site for the expansion of Baytree School, subject to planning approval and approval of the resources for the development. The site would provide school places for

65 pupils. Any plans will be future-proofed to enable the school to increase its capacity to 85 places in the future as and when required.

- 1.6 Any proposal for any school site is subject to statutory planning requirements. The release of the site does not pre-empt or pre-judge the outcomes of the proposed planning application. Its location in the Green Belt means that any planning application would need to provide justification of "very special circumstances" for consent to be issued.

#### **DECISION:**

To approve the release of a parcel of Council-owned land of approximately 1.9ha to the south-east of Brookfield Walk, Clevedon, as set out in Appendix 2, to become a second site for Baytree Special School, subject to Planning approval and funding.

To authorise the preparation and submission of a planning application using this site for the purpose of an extension to Baytree Special School as set out in this decision sheet.

#### **2. REASONS:**

- 2.1 Despite small-scale projects to enhance the classroom and storage offers on the current Baytree Special School site in Worle, the current buildings are too small to accommodate the increase in demand for specialist places and to meet the needs of the increasing numbers of pupils with higher levels of complex needs. Many of the younger pupils are non-ambulant and require hoists and considerable specialist equipment to support their learning. An increase in pupils requiring specialist equipment and the inability of the current school environment to store these, including supportive seating, standing frames, walkers etc. has reduced the amount of remaining available space to deliver education to the numbers of pupils previously admitted. The design of the site is not suitable for the addition of fixed ceiling hoists to aid pupil mobility and assist staff in manual handling support. The current school is a 2-storey establishment. The lift capacity of the school is not suitable for larger numbers of non-ambulant pupils making the upper floor potentially inaccessible for many.
- 2.2 The need for new severe and profound learning difficulties (S&PLD) places is now acute with demand already exceeding supply. The current Baytree Special School may need to restrict the numbers of non-ambulant pupils it educates as significant numbers cannot be educated on the upper floor due to health and safety access and egress restrictions. A new site must be found with urgency.
- 2.3 The Brookfield Walk site has been identified as the most suitable available location for the school expansion, in particular in relation to being affordable and deliverable within the constraints of the funding available and timing needed for delivery. Initial surveys of ground conditions and ecology have not identified any significant practical obstacles to the delivery of the school. The site has not currently been identified for alternative development and the Council's budgets do not assume any land receipt from it. In the event that this proposal does not proceed, the land would be expected to remain in its current state.
- 2.4 In 2020 for the ten pupils who would benefit from a place at Baytree Special School, only five (50%) places are likely to be available. In 2021 three spaces will be available but demand for places is predicted to be for fourteen places (21%).

Place funding for pupils attending special schools is set at £10k per pupil. In addition to this cost, the average top-up funding payment for a pupil attending Baytree Special School is c£14k. Top-up costs for pupils attending the closest special school outside of North Somerset serving pupils with profound needs range from £23 - £32k per pupil. In addition to these out of area payments, there may also be an £8k per pupil 'site' fee.

The cost of transporting 10 pupils to Baytree Special School in 2020 would be in the region of £120k pa. Transport costs for 5 pupils to Baytree (£80k) plus 5 pupils to the nearest out of district special school (£126k) would cost around £206k pa. The following year the difference between fully Baytree (£160K) and part Baytree (£40k) and part non-local provision (£265k) transport costs is an additional £145k pa. These costs do not include Passenger Assistant costs that increase as the numbers of routes increase (at a cost of c£10k per route).

Each year a local solution is delayed, the costs of not meeting the demand for places will increase incrementally.

### **3. OPTIONS CONSIDERED:**

- 3.1 To not expand the school and rely on meeting the needs of North Somerset pupils through commissioning places at schools and other settings outside of this area.** This would add to the revenue costs of the council 'in transporting children to and from school and would cause inconvenience and potential distress to children having to travel further than would otherwise be necessary. Best practice suggests journey times should be kept to a maximum of c45 minutes for primary aged pupils and c75 minutes for secondary aged pupils. Having a school large enough to meet the needs of pupils with profound needs locally reduces the need for placements outside the district. The recent Special and Alternative Provision Review and feedback from parents/carers has shown that local placements where possible better meet the need and interests of pupils and their families.
- 3.2 To take forward proposals for an alternative site to the south-east of Brookfield Walk.** As set out above and in Appendix 1, this site has been assessed as the most suitable location for the school expansion. Use of an alternative site would incur additional costs due to the need to acquire the site or relocate an existing or proposed use. Other sites are less able to meet the requirements for the school extension, as set out in Appendix 1.
- 3.3 In addition to the thirteen sites already assessed, there has been a suggestion that the Millcross land in Clevedon would be more appropriate for this school.** The site is in the ownership of NHS Estates who have indicated they do not intend to release it at the current time. If released, there would be a requirement to purchase at open market values, most probably at residential costs. Additionally, the site is only 1.084ha and as a result has not been prioritised at this stage.
- 3.4 A further Council-owned land in Clevedon has been considered.** This includes a 1.094ha site at Churchill Avenue in Clevedon. This location has not been prioritised at this stage due to its smaller size. It is allocated for 44 dwellings in the 2006 – 2026 Local Plan, meaning that if it were to be allocated for education use, an alternative location for the homes would need to be found in order to meet housing supply requirements.

#### **4. FINANCIAL IMPLICATIONS:**

- 4.1 The Council has a statutory duty to secure sufficient school places for its residents.

##### **Costs – Revenue**

- 4.2 Special Schools are funded from the high needs block of the schools' budget, which is funded from the Dedicated Schools Grant. Funds are distributed to schools based on formulas and allocations set by the Strategic Schools' Forum (SSF). The High Needs Block (HNB) not only covers maintained special schools and the Pupil Referral Unit, but also special educational needs and disability (SEND) Top Up Funding and placements for pupils in independent and private non-maintained schools.
- 4.3 The expansion of Baytree to an additional site is one of the key medium-term measures required to mitigate increases in spending in the HNB. The HNB has a current deficit of £2.375m, which has grown, in particular over the last 3 years. The expanded school will be revenue funded by a combination of place funding (£10,000 per place) and Top-Up funding. The extent to which the extended school will generate cashable savings to the HNB and reduced home to school transport costs is dependent on how many places are able to be filled from pupils returning from out of area placements and how many placements relate to pupil growth and transfers from mainstream schools. Reductions in home to school travel journeys could provide savings as well as reducing the home to school transport carbon footprint. On average a single-student taxi to Baytree School costs in the region of £19k pa and a 3-student mini-bus in the region of £40k pa. The cost of a single-student taxi to the nearest special school for profound needs outside the local authority costs in the region of £23k pa and a 3-student mini-bus in the region of £51k pa. All vehicles are supported by a Passenger Assistant/Escort at a cost of c £10k pa.

##### **Funding – capital**

- 4.4 The delivery of new school places is dependent on the provision of sufficient land and capital allocations appropriate to new place needs. Securing new school sites of the right size and location for a proposed new school clear of physical constraints is complex. The capital funds needed to progress all schemes contained within the Education Commissioning Strategy, including this scheme, are not yet fully in place. Officers continue to work to secure capital allocations through local and external funding sources as available.
- 4.5 Early indicative costs for the new school site are in the region of £11.5 – £12.5m excluding the cost of acquiring land. To date the Council has approved £1m of capital spend to progress this scheme through to a planning submission. Whilst significant resources have been identified but have not yet been approved for this scheme, work continues to "value engineer" the project costs to ensure the Council receives value for money.
- 4.6 The above budget assumes the use of the council-owned land south-east of Brookfield Walk and, therefore, has no allowance for the cost to acquire a site. The land is outside of the settlement boundary and within the Green Belt. As a result, it carries a nominal current asset value and, therefore, does not represent a significant financial opportunity loss to the Council.
- 4.7 Any recommendations for an increase in the numbers of pupils to attend the school on a second site will be subject to appropriate capital funding being made available and approved

to support the physical changes needed. Such decision will be submitted for approval at a meeting of the Full Council. Representatives of the school and officers are working together to further advance any building plans in time for implementation by September 2021.

## 5. LEGAL POWERS AND IMPLICATIONS

- 5.1 The School Standards and Framework Act 1998 sets out how Local Authorities should exercise their statutory duties to secure primary and secondary education to meet the needs of the population in their area. The Education and Inspection Act 2006 enhanced the role of Local Authorities, making them strategic commissioners of services with a mandate to promote high standards for all and greater choice and diversity.
- 5.2 The Education Act (EA) 1996 Section 14A, added by Section 3 of Education and Inspections Act (EIA) 2006 requires Local authorities to consider and respond appropriately to parental representations about school provision in relation to local authorities' functions under Section 14 of the Education Act 1996. Local Authorities must reasonably consider parental representations regarding the provision of schools and respond accordingly, including outlining any proposed action or, where it is considered action is not needed, to explain the reasons for this.
- 5.3 The Education Act 2011 maintains the role of Local Authorities as the strategic commissioner of services but provides greater autonomy of education provision by the encouragement of the establishment of academies, free schools, studio schools and Enterprise Colleges that are independent of the Local Authority. The Act gave Local Authorities 'a critical new role as strengthened champions of choice, securing a wide range of education options for parents and families, ensuring there are sufficient high-quality school places, co-ordinating fair admissions, promoting social justice by supporting vulnerable children, and challenging schools which fail to improve'.
- 5.4 The release of this land in the council's capacity as landowner does not pre-empt statutory planning processes or requirements. The proposed site is in the Green Belt and "very special circumstances" will need to be proven in order to secure planning consent. This entails demonstrating that the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

## 6. CONSULTATION

- 6.1 A report was submitted to the Children and Young People's Policy and Scrutiny Panel's meeting on 20 June 2019 - <http://apps.n-somerset.gov.uk/cairo/docs/doc29644.pdf> - on the proposed expansion of Baytree Special School prior to the Executive Member for Children & Young People's Services and Lifelong Learning considering a recommendation to start consultations about expanding the school. The focus of the report was to look at the educational and logistical reasons for needing to expand the school rather than a site selection.

The Panel supported a recommendation to be submitted to the Executive Member for Children's Services and Lifelong Learning to approve the commencement of the statutory process and the publication, if appropriate, of a Statutory Notice to expand Baytree Special School. This would need to be on a second school site. The Panel also requested a review of previously considered alternative sites was undertaken and considered by the Executive

Member for Business, Economy and Employment, as the Executive Member responsible for securing a second site for the school. This is detailed in this Decision Sheet.

- 6.2 Due to the need to have new provision in place for the 2021/22 school year, in parallel with the school expansion consultation (approval to consult was granted 10 July 2019 PC19), pre-planning consultations will take place with parents, staff, pupils, key stakeholder groups and local neighbours from late August/September 2019 with a view to a planning submission being made later in the autumn and a planning determination in the spring 2020. If successful, work to deliver the new school would start on site around May 2020.
- 6.3 Internal consultations on the potential site have been undertaken with colleagues from across the Council, including planning policy, transport and property teams. The Executive Member for Children's Services and Lifelong Learning has been included in the site assessment briefings.
- 6.4 The school has been consulted about the need to create more places for pupils with Severe and Profound Learning Difficulties – see appendix 3. In summary, the governors are supportive of the proposed extension and have highlighted the risks of any delay in securing new provision. They are also supportive of Brookfield Walk, Clevedon being an appropriate site and location for their second site.

## 7. RISK MANAGEMENT

- 7.1 The risks in seeking Planning Permission for a site for a school that has not been previously allocated in the Local Plan and is located in the Green Belt are considerable. There is already known local opposition to the proposals to locate the site at Brookfield Walk in Clevedon. The paragraphs below set out how these risks may be mitigated.
- 7.2 An Environmental Impact Assessment (EIA) Screening Opinion will formally be sought to identify whether a full EIA is needed. If a full EIA is needed, officers will take the advice of an experienced planning consultant before submitting a planning application.
- 7.3 Brookfield Walk, Clevedon is located within the Green Belt. Officers will take the advice of experienced planning consultants and engage in early pre-application discussions with Planning Officers in relation to necessary considerations and required mitigations. The application will include, at the planning stage, details of other sites that have been considered to be unsuitable or not available. The table in Appendix 1 includes information that will contribute to this process but is not in itself an assessment for planning processes.
- 7.4 Other potential issues, in addition to the site's Green Belt status, include drainage and ecology constraints. Initial surveys have already been undertaken and these have not identified any issues that could not be addressed through the design process and appropriate mitigations. The air quality of the site is within the required parameters for the development of a special school.
- 7.5 Direct communications both via residents' attendance and/or questions raised at committee meetings and in correspondence and Freedom of Information Requests shows that the development of the site south-east of Brookfield Walk is causing concern for some local residents who value their use of this land. To mitigate this risk, officers will seek to work with

local residents to understand their concerns, and, where possible, to find solutions. This would be likely to include, for example:

- Designing the site to include the preservation of as much of the natural habitat as possible, the retention of key trees and shrubs (noting that many are subject to Ash die-back) and a single-storey design that will be as sympathetic to the local environment as financially possible.
- Taking into account travel movements to and from the school and mitigating factors to minimise disruption as far as practicable. Whilst it cannot be denied that any development will increase travel to a local area, the transport needs of Severe & Profound Learning Difficulties (S&PLD) pupils are different to those of a mainstream school. Many of the pupils access school via specialist vehicles that will be accommodated on site for pupil delivery and collections (rather than by private car). It is hoped the school can offer additional facilities to parents at their second site such as breakfast and after school clubs to both enable pupils to access these resources and to offer parents the opportunity to access child care before and after work (if needed). This will also help to mitigate transport issues around the site that otherwise would need to be condensed at school start and end times.
- Baytree Special School leaders are keen to ensure the new site is seen as local provision. To mitigate any potential disaffection they are keen to engage with the local community. They would want to offer their hydrotherapy pool for use by the local community outside of school needs for both swimming sessions and adult health needs and their school hall for hire. A pupil led café and local produce produced by the pupils and the school may also be on offer.

- 7.6 The budget identified to deliver the 2<sup>nd</sup> site for Baytree Special School assumes a nil site cost and delivery by September 2021. A site allocation now will mitigate the need to purchase a new site and the cost and time delays associated with this.
- 7.7 This Decision Sheet requests the allocation of a site to facilitate an expansion of Baytree Special School. There will be other risks to the project not related to the site that have not been recorded above.

## 8. EQUALITY IMPLICATIONS

[Have you undertaken an Equality Impact Assessment? Yes/No] Yes.

An EIA was undertaken as part of the process to apply for permission to start consultations to expand Baytree Special School. An updated EIA to reflect the site assessment process is attached as appendix 4.

- 8.1 The use of the Brookfield Walk site in Clevedon for a second site for Baytree Special School is intended to enhance the learning experiences of children with S&PLD who attend Baytree Special School as well as creating additional places at a purpose-designed school to enhance the Council's current local offer.

As the proposal develops, further analysis of equality data and views from consultation will be considered.

## 9. CORPORATE IMPLICATIONS

- 9.1 The Council has a duty to meet the school-place needs of primary and secondary-aged pupils living in North Somerset including those with special educational needs and disabilities. This project progresses plans identified in the Education Provision in North Somerset - A Commissioning Strategy 2018 – 2021 approved in September 2018 for the delivery of extra places for pupils with special needs.
- 9.2 The Council is committed to becoming carbon neutral by 2030. Reducing the journey lengths of pupils attending special schools and offering local provision will assist with this commitment.

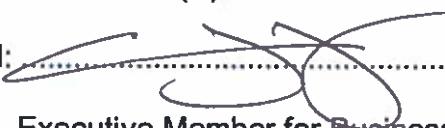
## BACKGROUND PAPERS

CYPS Policy and Scrutiny Committee - <http://apps.n-somerset.gov.uk/cairo/docs/doc29644.pdf>

Executive Member for Children Services and Lifelong Learning Decision Sheet (PC 19) - <https://www.n-somerset.gov.uk/wp-content/uploads/2019/07/19-20-PC-19-Signed.pdf>.

## SIGNATORIES:

### DECISION MAKER(S):

Signed: 

Title: Executive Member for Business, Economy and Employment

Date: 28.8.19

### WITH ADVICE FROM:

Signed: 

Title: Finance Director H

Date: 16/8/2019

**Footnote: Details of changes made and agreed by the decision taker since publication of the proposed (pre-signed) decision notice, if applicable:**

## Site Assessment Summary ~ Expansion of Baytree Special School.

Initial location assessments were reviewed against the criteria listed in the table below. Following a request by the CYPS Policy & Scrutiny Panel on 20 June 2019 to review the determination made at that time, additional observations are included in the comments section:

- Size: the site needs to be relatively flat and c2ha in size to allow for a single-storey school building with additional facilities. A two-storey building on a smaller site is unsuitable due to the expected access needs of the students. The current Baytree school has two storeys (accessed via lift) and this creates significant operational and safety problems.
- Location: the site should be centrally located within North Somerset and easily accessible from the motorway/A-road network. This is to minimise travel distances for home to school transport for pupils, ensure access by emergency services, and to enable staff and, where appropriate, pupils to travel between the two school sites during the school day when needed. To respond to an emergency, a travel time of a maximum of 15 - 20 minutes between the two hubs is required.
- Community: as with a mainstream school, any new site should be integral to a community and not located away from it. The site should be close to shops, a district centre and sports facilities enabling the school and its students to form links with the community as part of pathways to adulthood. The school wants to continue to be part of a local community when expanding to their 2<sup>nd</sup> site. Children and young people with disabilities are important members of our society.
- Local facilities: the site should be within walking distance of shops and amenities enabling those pupils that are able walk to or can be escorted by foot to local shops and other community facilities as part of their educational entitlement to do so without the need for vehicle support. Whilst a new development may offer physical spaces that could be used in the longer term for a new school, the need to have a site with this access as soon as students are located to it is essential to their educational and curriculum requirements. Travel by mini-bus to and from a local community takes time away from other aspects of a pupils Education, Health and Care curriculum entitlements.
- Ownership: the purchase of a site not already in the ownership of NSC would be likely to add up to two years to the delivery period, to allow for negotiations, due diligence and exchange of contracts. Moreover, the budget for the new school building is locally funded and does not include any allowance for land purchase. Whilst the value of individual sites will depend on location, planning designation, site specific ground conditions etc, it would be reasonable to assume that land designated for employment use would have a land value of circa £500,000/ha - £750,000/ha whereas land designated for residential use would have a land value of circa £1.2m/ha to £2m/ha. Whilst some of the sites reviewed may have no current alternative designation other than their existing use for agriculture purposes, if the Council needed to acquire them for the school development it would almost certainly have to pay an enhanced land value based on hope value unless it was in a position to use its compulsory purchase powers which would add significant time delay and additional costs. For this reason, sites that either have a nil or minimal upfront outlay are preferable to those that may have a housing value and would be likely to be cost-prohibitive. The requirement to secure places by 2021 does not allow for extra time to generate more resources.
- Acceptable in planning terms: it is recognised many of the available sites will have planning restrictions, and the initial review of those potential constraints does not pre-empt the statutory planning process, which will be required to weigh up the balance of a wide range of positive and negative factors. If sites are taken forward, it will be the responsibility of the delivery team to ensure that all planning issues are properly addressed and mitigated as required.
- Deliverable, preferably by 2020 – due to purdah, consultations and work to progress this project has been delayed. The funding for the new school will be met mainly from a basic need allocation from the DfE in the 2019/20 financial year. New places are needed from September 2021.

Site	Size	Located in an established community (1) and within walking distance of shops and amenities (2)	Easy access from whole district – on M5 corridor for junctions 20 and 21	Easy access from current site - as assessed at 8am on a working day	Ownership (NSC or private) and existing use / planning policy status	Planning constraints - option may be deliverable with appropriate discharges (1)  Environmental assessments can be mitigated (2)	Deliverable by 2021	Comments
1 – WsM	2.15 ha	Yes to both	Yes – site is close (within 1 mile) to junction 21 of the M5	0.9 miles – approximately 4 minutes by car	In private ownership.  Currently a mixed-use allocation (73 dwellings + 0.5h commercial).  Within the settlement boundary and not in the Green Belt	Site in Replacement local plan for mixed use homes and employment  Flood zone 3: sequential and exception test required as well as high standard of surface water attenuation.  Close proximity to railway line	Would need to find replacement sites for housing or risk developer applications in non-agreed sites, adding a time delay	Cost: No funding to purchase site making it cost prohibitive  Time: Insufficient time to raise additional funds and undertake negotiations to purchase site  Location: Good in terms of proximity to M5 and current school site  Other considerations:

					In 5km zone for bats SAC  Higher standard of water attenuation required Land would need to be allocated within the site for access to and maintenance of watercourses and surface drainage			<ul style="list-style-type: none"> <li>Site allocated in Local Plan for 73 dwellings + 0.5ha employment. As it is not currently in NSC ownership, NSC would have to buy on a commercial basis. Likely to have residential land value if the land owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales.</li> <li>Since original allocation, part of site has been reclassified as Flood Zone 3b (the highest level of risk). This will reduce the area of land available and will require significant mitigation works, which will add to costs.</li> </ul>
2– WsM	2.08 ha	No nearby footpaths	Yes – site is close to (within 1.6 miles) junction 21 of the M5	1.3 miles – approximately 7 minutes by car	In private ownership.  Existing farm use including the need to remove farm buildings prior to any development, adding to costs  Not in the Green Belt.	Possible decontamination, no footpaths to access and close by to watercourses  Outside of settlement boundary	Not within a community and without footpaths and access. Awaiting a community link would add to a time delay	<p>Cost: No funding to purchase site making it cost prohibitive. Would need to demolish existing farm, adding to costs.</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site</p> <p>Location: Good in terms of proximity to M5, but poor in terms of lack of walking access</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>As it is not currently in NSC ownership. NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales.</li> <li></li> </ul>
3. – WsM	1.12 ha	Yes to both	1.9 miles from Junction 21 of the M5	2.2 miles – approximately 6-9 minutes by car	In Council ownership but would require the purchase of alternative land to re-provide sports use  Within the settlement boundary and not in the Green Belt,	Currently used for sports provision	Too small – not deliverable	<p>Cost: NSC ownership so no requirement to purchase. Would need to re-provide sports provision elsewhere</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase alternative site for a replacement pitch</p> <p>Location: Okay in terms of residential community access, but less good in terms of proximity to the rest of North Somerset</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>Would need to purchase alternative land plus install a sports pitch. Approximate costs for forming a properly drained and levelled pitch is c £400 -500k per ha. NSC would have to</li> </ul>

								buy or progress the use of compulsory purchase (CP) powers that could add additional costs and circa 2 years to process through the CP process if replacement land not easily available, ruling out delivery within the necessary timescales.
								<ul style="list-style-type: none"> <li>• Too small</li> </ul>
4. – Yatton	1.86 ha	Yes to both	–4 miles (9-16 minutes) from Junction 20 of the M5	7.4 miles – approximately 16-24 minutes by car	Private ownership  In Site Allocation Plan for 21 dwellings.  Parts within and parts outside the settlement boundary. Not in the Green Belt	Includes a large local Wildlife Site  Significant ecological issues – requirement to maintain wildlife buffer which will reduce space available for build development.  Higher standard of surface water attenuation.  Allocation includes requirement to improve existing railway car park, which could add significantly to costs.	Dependant on mitigation of significant wildlife and environmental issues that would add a time delay	<p>Cost: No funding to purchase site making it cost prohibitive.</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site</p> <p>Location: Okay in terms of residential community access, but less good in terms of ease of travel to the rest of North Somerset and from the current site</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>• Site allocated in Local Plan for 21 dwellings</li> <li>• As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> </ul>
5. – Congresbury	3.29 ha	Yes to both	6.3 miles from Junction 20 of the M5 and 4.7 miles from junction 21	6.1 miles – approximately 18 minutes	Private ownership – in site allocation plan for employment. Would need to demonstrate no employment interest e.g. 6-month marketing period (planning policy requirement)  Not in the Green Belt.	Outside settlement boundary  Archaeological issues	Would need to secure funding to purchase and overcome archaeological issues, creating a time delay	<p>Cost: No funding to purchase site making it cost prohibitive</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site</p> <p>Location: Okay in terms of residential community access, but less good in terms of ease of travel to the rest of North Somerset and from the current site</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>• As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> <li>• Road access to farm yard is approximately 4m wide.</li> </ul>

								<ul style="list-style-type: none"> <li>Part of the site falls within fluvial flood zone 3B</li> </ul>
6. – Congresbury	2.0 ha	Busy A370 could be classed as a barrier to access to community facilities. There are no pavements.  No	7.6 miles from Junction 20 of the M5 and 8.3 miles from junction 21 (16-24 mins). Please note, this is due to a one-way road restriction	9.3 miles – approximately 18-26 minutes by car. Please note this is due to a one-way road restriction	Private ownership  Previous nursery use. Would need to demonstrate no demand as per site 5.  Not in the Green Belt.	Outside settlement boundary	Would need to secure funding to purchase, that would add a time delay	<p>Cost: No funding to purchase site making it cost prohibitive</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site</p> <p>Location: Not as good as the preferred site in terms of residential community access. It is also in an elevated location. It is less good in terms of ease of travel to the rest of North Somerset and from the current site</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>Not allocated in the Local Plan for development but an identification for possible school development might lead owner to believe there is a prospect for housing/employment, which could raise price.</li> <li>This site is outside the settlement boundary. Both Yatton and Congresbury have recently adopted Neighbourhood Plans which hold significant weight in the planning system and which oppose development in the Strategic Gap and/or outside of the settlement boundaries.</li> <li>As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> <li></li> </ul>
7. – Yatton	17 ha	Yes to both	4.6 miles from Junction 20 of the M5 and 5.8 from junction 21	7.1 miles – approximately 14 – 22 minutes by car	In private ownership  Not allocated in the Sites Allocation Plan - see comment  Whilst currently unallocated, known to be of possible housing interest.  Not in the Green Belt.	Outside settlement boundary  Part of the site (1.8ha) has been allocated for future statutory provision – primary school places	Would need to secure funding to purchase, that would add a time delay	<p>Cost: No funding to purchase site making it cost prohibitive</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site</p> <p>Location: Not as good as the preferred site in terms of residential community access, and less good in terms of ease of travel to the rest of North Somerset and from the current site</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>Yatton has a recently adopted Neighbourhood Plan which holds</li> </ul>

								significant weight in the planning system and which opposes development outside of the settlement boundaries. <ul style="list-style-type: none"> <li>As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> </ul>
8.-Yatton	2.35 ha	Within a local community but some way from amenities	3.8 miles from Junction 20 of the M5 and 6.2 miles from junction 21	7.6miles – approximately 14-24 minutes by car –	Private ownership  This is allocated in the SAP for housing Loss of sports pitches.  Not in the Green Belt.	Outside settlement boundary  Loss of sports pitch	Would need to secure funding to purchase, that would add a time delay	Cost: No funding to purchase site making it cost prohibitive  Time: Insufficient time to raise additional funds and undertake negotiations to purchase site  Location: Not as good as the preferred site in terms of residential community access or amenities, and less good in terms of ease of travel to the rest of North Somerset and from the current site Other considerations: <ul style="list-style-type: none"> <li>Not an allocated site but an identification for possible school development might lead owner to believe there is a prospect for housing/employment, which could raise price.</li> <li>Yatton has a recently adopted Neighbourhood Plan which holds significant weight in the planning system and which opposes development outside of the settlement boundaries.</li> <li>Sports England will require replacement of pitches to same or improved standards. This will require purchase of alternative land, plus re-provision of pitches. Very approximate cost of forming properly drained and levelled playing fields is £400 – 500k per ha (plus land cost). Would also need to replace clubhouse etc, estimated £500k - £1m cost dependent on size and standard.</li> <li>As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> </ul>
9. – Yatton	2.51	Yes to both	5.4 miles from	6.5miles –	Private ownership.	Wildlife site	Would need to secure	Cost: No funding to purchase site making it cost

	ha		Junction 20 of the M5 and 5.5 miles from junction 21	approximately 12-20 minutes by car	Not allocated in the Sites Allocation Plan	Grade 1 agricultural land Outside settlement boundary Within Green belt	funding to purchase, that would add a time delay	prohibitive  Time: Insufficient time to raise additional funds and undertake negotiations to purchase site  Location: Not as good as the preferred site in terms of residential community access or amenities. The site is also on an elevated location. It is less good in terms of ease of travel to the rest of North Somerset and from the current site  Other considerations: <ul style="list-style-type: none"><li>• Not an allocated site but an identification for possible school development might lead owner to believe there is a prospect for housing/employment, which could raise price.</li><li>• Yatton has a recently adopted Neighbourhood Plan which holds significant weight in the planning system and which opposes development outside of the settlement boundaries.</li><li>• As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li></ul>
10 – Yatton –	2.56 ha	Yes to both	5.2 miles from Junction 20 of the M5 and 6 from junction 21	7 miles – approximately 14-20 minutes by car	Private ownership. Not allocated in the Sites Allocation and outside of settlement boundary. Not in the Green Belt.	Outside settlement boundary	Would need to secure funding to purchase, that would add a time delay	Cost: No funding to purchase site making it cost prohibitive  Time: Insufficient time to raise additional funds and undertake negotiations to purchase site  Location: Not as good as the preferred site in terms of residential community access or amenities, and less good in terms of ease of travel to the rest of North Somerset and from the current site  Other considerations: <ul style="list-style-type: none"><li>• Not an allocated site but an identification for possible school development might lead owner to believe there is a prospect for housing/employment, which could raise price.</li><li>• Yatton has a recently adopted Neighbourhood Plan which holds significant weight in the planning system and which opposes</li></ul>

								development outside of the settlement boundaries.
								<ul style="list-style-type: none"> <li>As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> </ul>
11 – Yatton	3.34 ha	Yes	4.7 miles from Junction 20 of the M5 and 6 from junction 21	7 miles – approximately 14-20 minutes by car	In Council ownership  Allocated for cemetery use.  Not in the Green Belt.	Outside settlement boundary  Allocated as a cemetery  Strategic gap	Would need to secure funding to purchase alternative site for a potential cemetery	<p>Cost: NSC ownership so no requirement to purchase. Would need to re-provide potential cemetery provision elsewhere however</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase alternative site for a replacement cemetery</p> <p>Location: Not as good as the preferred site in terms of residential community access or amenities, and less good in terms of ease of travel to the rest of North Somerset and from the current site</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>Yatton Parish Council has been actively pursuing additional cemetery provision for some time and this site is now allocated for that use. Suitable cemetery sites are very difficult to find due to the specific ground conditions required, so it is likely to be difficult to find an alternative.</li> <li>Yatton has a recently adopted Neighbourhood Plan which holds significant weight in the planning system and which opposes development outside of the settlement boundaries.</li> </ul>
12. Backwell	51.9 ha	Adjacent to an established community but some way from local amenities	7 miles from Junction 20 of the M5 and 8.6miles from junction 21	9.6 miles – approximately 18-26 minutes by car	Private ownership.  Unallocated and outside of settlement.  Part of JSP potential SDL (if approved).  Not in the Green Belt.	Outside settlement boundary	Would need to secure funding to purchase, that would add a time delay	<p>Cost: No funding to purchase site making it cost prohibitive</p> <p>Time: Insufficient time to raise additional funds and undertake negotiations to purchase site. New community for this site not yet established</p> <p>Location: Not as good as the preferred site in terms of residential community access or amenities, and less good in terms of ease of travel to the rest of North</p>

								Somerset and from the current site
								<p>Other considerations:</p> <ul style="list-style-type: none"> <li>As it is not currently in NSC ownership, NSC would have to buy on a commercial basis, assuming the owner would be willing to sell. Alternatively, NSC could progress the use of compulsory purchase (CP) powers that would add additional costs and circa 2 years to process through the CP process, ruling out delivery within the necessary timescales</li> <li>Backwell has an adopted Neighbourhood Plan which holds significant weight in the planning system and which opposes development outside of the settlement boundaries.</li> </ul>
13 Clevedon	1.9Ha (excluding orchard)	Yes to both	0.5 miles from Junction 20 of the M5	7.8 miles – approximately 10-15 minutes by car	NSC ownership other than the orchard area  Outside the settlement boundary  Within the Green Belt Within tidal flood zone 3A, but not fluvial flood zone 3A	Green Belt, requiring “very special circumstances” for development.  Air quality within agreed limits  Environmental issues can be mitigated		<p>Cost: NSC ownership so no requirement to purchase.</p> <p>Time: Available for use, subject to planning</p> <p>Location: On the edge of a housing with good and flat access to local shops and amenities. Close to M5 and access from all parts of the district</p> <p>Other considerations:</p> <ul style="list-style-type: none"> <li>As the land is in greenbelt, very special circumstances need to be demonstrated</li> <li>Currently used as open space and likely to be locally sensitive</li> <li>Will require significant engagement and support to overcome local residential opposition</li> </ul>

Infrastructure  
Aerial Photography 2014  
Schools  
Street lighting  
◆ Primary schools  
◆ Secondary schools



## Appendix 2

- Proposed Site Location of Baytree Special School Expansion - Brookfield Walk

Scale: 1:11500  
Drawn by: Julia Burgess  
Date: 26 July 2019  
Time: 14:23:45



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## **Appendix 3**

### **Expansion of Baytree Special School to as 2<sup>nd</sup> site**

As the Governing Board of Baytree School we support the much needed expansion of our current School with the creation of a second site on Brookfield Walk.

The second site will create a positive impact on the lives of the Children and Young People with the most complex special educational needs by ensuring access to the most appropriate learning environment. The second site will not only ensure CYP with profound and multiple learning difficulties educational needs are met but will also free up capacity within the current site and increase much needed provision for CYP with Severe Learning Difficulties and Autism.

If the second site is not delivered or the delivery is delayed significant impact will occur on not only the future Baytree cohort but also the current cohort. In September 2019 four children were unable to gain a school placement at Baytree and trends over the next few years indicate around 14 children without a Baytree School placement requiring costly out of county placements which will result in the youngest school aged children experiencing substantial journey times and without access to the local offer.

The limitations of the current site, which include; lack of storage for postural management equipment, a split level site making access to the second floor limited for non-ambulant learners, a lack of hygiene rooms and overhead hoisting, making meeting CYP most basic care needs a considerable challenge . This coupled with the increase in demand for places will all culminate in creating a negative impact on pupil wellbeing. The increase in pupil numbers will result in a reduction of space, increased class sizes, a lack of appropriate equipment, therefore greater manual handling and pupil transfers and an environment where the staff team would be unable to deliver their legal obligations outlined within pupils Educational Health Care Plans. Staff wellbeing and mental resilience would be severely compromised. The only way to mitigate this risk would be by Baytree reducing its capacity and freezing pupil intake until the situation is manageable.

Due to these factors the Governing Board fully support the second site on Brookfield Walk and recognise its good transport links, its proximity to the current site which will enable school leaders and key staff ease of travel between provisions and the opportunity for cross organisational working with local organisations based in the Clevedon area. Including, Children's Hospice South West, Springboard, Community Services e.g. Pizey Avenue and Health Organisations. The delivery of the second site is critical and must remain a priority for N-Somerset to deliver.

Huw Davies

Chair of Governors, Baytree School

## North Somerset Council – Equality Impact Assessment Template

### School Organisation Process – Expansion of Baytree Special School

This template is for use where an initial assessment has been completed and has identified a potential medium or high risk for service users or staff. It should be used for the following:

- During the development or amendment of council policies
- When incorporating equality and diversity into annual team plans
- At the start of any new procurement or commissioning exercise

<b>Service area:</b>	Strategic Planning & Governance, People & Communities Directorate
<b>Equality impact assessment owner:</b>	Sally Varley
<b>Review date:</b>	September 2019

<b>Service User Impact (High, medium or low)</b>	
<b>Before mitigating actions</b>	<b>Before mitigating actions</b>
M/H	M

<b>Staff Impact (High, medium or low)</b>	
<b>After mitigating actions</b>	<b>After mitigating actions</b>
M/H	L



## Section 1 – The Proposal

### 1.1 Background to proposal – maximum 250 words

The Council is proposing the creation of a second site for Baytree Special School with facilities to meet the needs of pupils with Severe and Profound Learning Difficulties. The numbers of non-ambulant pupils with complex medical needs are increasing and the current site is not capable of expansion or the level of significant modification necessary to cater for existing demand.

A review of thirteen sites has been undertaken and a location in Clevedon – Brookfield Way – has been identified as a preferred site. It is hoped that in having additional places for pupils with Severe and Profound Learning Difficulties across the current and a new site, the needs of these pupils will be met through the facilities available at the two locations.

#### Update July 2019

We have considered equalities issues through the site options appraisal, for example easy access of the site for parents and carers and staff. The site should enable the children and young people to be able to access indoor and outdoor learning spaces as independently as possible, to engage with and be part of local community life and to have the ability to carry out life skills and activities such as shopping.

### 1.2 Is there a budget reduction associated with this proposal?

If yes, please describe financial impact.

No – the Council is intending to allocate c £11.5 – 12.5m towards creating new facilities to meet the needs of pupils with Severe and Profound Learning Difficulties.

### 1.3 Who is likely to be affected by these proposals?

Children with Severe and Profound Learning Difficulties and their families are likely to be affected by these proposals. Some may benefit from a school site closer to their home whilst others may have further to travel. Care has been taken to seek out a new site that is easily accessible from all parts of North Somerset to mitigate any adverse travel changes.

Update July 2019

Members of the local community that use the Brookfield site for recreational purposes may be affected by this change. The immediate neighbours of Brookfield Walk may also be affected if they fall within the protected characteristics as identified within the Equality Act 2010.

**1.4 Please detail below how this proposal may impact on any other organisation and their customers**

Pupils at Baytree Special School are supported by health and social care colleagues. Some may benefit from a school site closer to their office base whilst others may have further to travel. There are no proposed changes anticipated that will affect extended community activities at the current site in Weston and it is envisaged that similar community provision will be offered at the new site (i.e. use of the hydrotherapy pool to community / health groups).

Staff at Baytree Special School will be affected for the same travel reasons as above.

Residents living close to the chosen site may oppose the option to build a special school close to their homes. Often when delivering new or expanded schools, local neighbours have genuine concerns about excess travel to and from the site affecting their existing journeys and a loss of space or aspect from their homes.

Update July 2019

The local community who use Brookfield Walk for recreational purpose, such as walking their dogs may be affected by this proposed change. The EIA will be updated after consultations. Consultations will include a request for equalities data to enable officers to consider the impact on those with protected characteristics further.

**Section 2 – What Do We Know?**

**2.1 Customer/staff profile details – what data or evidence is there which tells us who is, or could be, affected?**

The groups that may be affected by the creation of a 2<sup>nd</sup> site for Baytree Special School are: Disabled people, potentially staff and people on a low income. There could be a disruption to transport arrangements for anyone connected to the school which needs to be considered as part of the process, this may or may not be positive change, depending on individual circumstances.

# North Somerset Council – Equality Impact Assessment Template



Update July 2019

During the consultation, we will ask the community to advise us of any equality concerns. As this proposal is developed, the data included in the EIA will include analysis of equality data of pupils at the school and other stakeholders as appropriate.

Currently, information regarding immediate stakeholders of Baytree Special School are indicated below.

## Pupils

Our data shows that 68 pupils attending Baytree Special School currently live the following distances from the school:

Distance from School	Numbers of Pupils	Current Mode of Travel
0 – 3 miles	17	Parent drop off (Car)
3 – 6 miles	28	Minibus
6 – 10 miles	13	Minibus
10 – 15 miles	6	Minibus
Over 15 miles	4	Parent drop off / taxi / Minibus

Should all these pupils be recommended for education at the preferred 2<sup>nd</sup> site, the data could change as below:

Distance from School	Numbers of Pupils	Current Mode of Travel
0 – 3 miles	4	Parent drop off (Car)
3 – 6 miles	12	Minibus
6 – 10 miles	24	Minibus
10 – 15 miles	26	Minibus
Over 15 miles	2	Taxi / Minibus

The creation of the new site is an expansion therefore not all pupils or staff will transition to the 2<sup>nd</sup> site for Baytree Special School and therefore the impact will depend on which pupils and staff do transfer. The decision to place CYP will be based on the provision that best meets their needs; Baytree Weston will cater for CYP with Severe Learning Difficulties and CYP with an Autism diagnosis,

## North Somerset Council – Equality Impact Assessment Template

whereas Baytree new site will cater for CYP with profound and multiple learning difficulties and associated complex health and physical needs. However individual consultations will take place with the CYP families and the distance and journey time will be a factor whilst allocating the existing and future CYP across the two provisions.

Our data shows the 67 staff (teaching and non-teaching) currently working at Baytree Special School live the following approximate distances from the school:

### Teaching staff

Distance from School	Numbers of Staff	Current Mode of Travel
0 – 3 miles	3	Car
3 – 6 miles	2	Car
6 – 10 miles	2	Car
10 – 15 miles		
Over 15 miles	5	Car

### Support Staff

Distance from School	Numbers of Staff	Current Mode of Travel
0 – 3 miles	32	Car
3 – 6 miles	14	Car
6 – 10 miles	3	Car
10 – 15 miles	3	Car
Over 15 miles	3	Car

As we do not know at this early stage which members of staff could be asked to work from the new site, we have shown in the table below what could happen if all the staff were to move to the new site based.

## North Somerset Council – Equality Impact Assessment Template

### Teaching staff

Distance from School	Numbers of Staff	Current Mode of Travel
0 – 3 miles		
3 – 6 miles		
6 – 10 miles	5	Car
10 – 15 miles	5	Car
Over 15 miles	2	Car

### Support Staff

Distance from School	Numbers of Staff	Current Mode of Travel
0 – 3 miles	1	Car
3 – 6 miles	3	Car
6 – 10 miles	32	Car
10 – 15 miles	17	Car
Over 15 miles	2	Car

The vision and aspirations, alongside the leadership and management of the school will remain unchanged. It is hoped the increase in provision and new facilities will offer greater opportunities for pupils and staff alike.

By retaining the current site, it is hoped that employment for those who would not be able to afford to travel at extra cost to the new site could continue to work at their current location.

As the existing Baytree site will remain and staff will be consulted individually, it is expected most staff living within 3 miles of the existing site may remain working at Baytree Weston whilst the staff living closest to the new site will be prioritised to move to Baytree new site. This will also be dependent on which pupils are re-located as staff support specific pupils.

The creation of the new site will also result in the need to appoint new members of staff, which we forecast to advertise and recruit a substantial percentage from within the local area.

## North Somerset Council – Equality Impact Assessment Template

### 2.2 What does the data or evidence tell us about the potential impact on diverse groups, and how is this supported by historic experience/data?

Most pupils attending Baytree Special School are entitled to free home to school transport. It is hoped the maximum addition to any journey time to and from school will be around 10 – 15 minutes. For many new pupils the journey times to establishments outside the district will be brought to within the statutory guidelines.

Best practice suggests journey times to be kept to a maximum of c45 minutes for primary aged pupils and c75 minutes for secondary aged pupils.

### 2.3 Are there any gaps in the data, for example across protected characteristics where information is limited or not available?

No. Consultation has not yet occurred with the local community. Once we have been given permission to undertake consultations with the local community this will identify any potential issues with wider stakeholders and people with protected characteristics. The EIA will be updated as part of the decision making and planning process.

Update July 2019

Participants in the consultations will be asked to raise any equality concerns.

### 2.4 How have we involved those that could be affected?

Once NSC have been granted permission to consult, it is envisaged that a public consultation with stakeholders will commence in the Autumn 2019. The parents, staff and governors of Baytree school have been made aware that officers have requested permission to consult for this proposed project. In addition, the local town council, district councillors, ward councillor, council officers, members of the education community and direct neighbours of the proposed site location of the school have been notified that permission to consult has been requested. The link to the report requesting permission was issued to these stakeholders and can be found [here](#). A meeting with direct neighbours of the new site will be held separately in advance of the public consultation once permission to consult has been issued to obtain initial feedback.

## North Somerset Council – Equality Impact Assessment Template

As Baytree Special School is a maintained school, NSC are the decision makers and as such have to follow the statutory guidance from the DfE for Making Significant Changes ('prescribed alterations') to maintained schools which can be found [here](#). A four-week consultation during term time will form part of this.

### 2.5 What has this told us?

As we are at the beginning of the process, we are waiting approval to consult. Once we have received this permission and have consulted, we will be able to update the EIA.

### 2.6 Are there any gaps in our consultation, what are our plans for the future?

As stated above. We will update the EIA once we have carried out a consultation.

## Section 3 – Assessment of Impact

Will the proposals included in this assessment have an impact on any of the following?	Actual or potential impact				Is the actual or potential impact negative, positive or both?
	High	Medium	Low	None	
Disabled people		X			<p>The new facilities will be of great benefit to pupils and staff. The travel distance for some new pupils may be more advantageous than out of the district travel. For some existing Baytree pupils journeys to the new site may be shortened, for others journeys may be longer.</p> <p>There is a risk if the school is not expanded through a second site that no further non-ambulant pupils can be educated on the current site as the numbers of pupils educated in classrooms on the ground floor may have been reached. These pupils would need</p>

## North Somerset Council – Equality Impact Assessment Template

				to be educated away from North Somerset.,
People from different ethnic groups			x	None
Men and women		x		<p>There will be no impact regarding the physical building on whether a person is male or female. A change in location to where an employee may be asked to work or carry out the school run, may impact both males and females.</p> <p>Statistically there are more females than males working at the school. According to the <a href="#">DfE National Travel Survey 2014</a> – trips to escort pupils to school are more likely to be made by women, as a consequence females are more likely to be affected by this proposed change.</p>
Lesbian, gay or bisexual people			x	None
People on a low income		x		<p>The cost of travel for those on a low income to a new site may be prohibitive. It is noted that most pupils at the school qualify for free home to school transport due to their disability.</p>
People in particular age groups		x		<p>There may be an impact on parent/carers if they are of a particular age. This is not currently known. There is likely to be a positive impact on children of a certain age, as the additional facilities will ensure that they are able to be educated within North Somerset at Baytree school – either the new or the Weston site where</p>

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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	without the provision they may no longer be educated at the school.
People in particular faith groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None
Transgender people	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None
People who are married or in a civil partnership	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None
Women who are pregnant or on maternity leave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	None
Other specific impacts, for example carers, parents; please specify	Parents and carers				
Please describe the impacts listed above	Some parents and carers of children with Severe and Profound Learning Difficulties and their families may benefit from a school site closer to their home whilst others may have further to travel. Care has been taken to seek out a new site that is easily accessible from all parts of North Somerset to mitigate any adverse travel changes as far as possible.				

Does this proposal have any potential Human Rights implications? If 'yes', please describe	None are known
Does this proposal have an impact on health inequalities? If 'yes', please describe	None are known

### Section 4 – Action

This section asks how your understanding of impacts on people with protected characteristics has influenced your proposal, and how the findings of your Equality Impact Assessment will be reviewed in the future.

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### 1. How has the Equality Impact Assessment informed or changed the proposal?

Careful consideration will be given to moving pupils already attending the existing site to the new site. Changes will either be made over an appropriate time of transition or the pupil can complete their education at the current site where such a change would affect their education or quality of health.

The continuation of provision at the current site should enable some posts for staff on lower-incomes to still be available.

### 2. What course of action could we take/have we taken to mitigate the identified impact?

The location of the preferred new site was partly led by the ease of travel for pupils and staff to get to this new location. A North Somerset significant town with accessible public and private travel routes is needed. Clevedon is a preferred location.

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Actions will be considered to address any equality concerns raised during the consultation at the end of that process.

### 3. What are the plans to monitor the equality actual impact of this proposal?

This assessment will be reviewed at key stages of the build delivery – at this initial school organisation and planning consultation stage; at site delivery stage; prior to the opening of the new site. Prior to the decision to construct the school, a full public sector equality duty assessment will be made in addition to updating this EIA.

### 4. What are the plans to publish this Equality Impact Assessment?

It will be published alongside committee reports, decisions, the site planning application and made available on request as appropriate.

## **North Somerset Council – Equality Impact Assessment Template**



### **Additional Note:**

Councillors at the CYPS Policy and Scrutiny Committee meeting on 20 June 2019 requested a review of previously considered alternative sites is undertaken and considered by the Executive Member responsible for securing a site for the new school. This EIA will be updated as part of the site approval process.